

2012 Legislative Proposal (MI)

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Title: Enforcement/clarity/revision of Medical Marijuana Law (MMA) in Michigan to ensure public safety and deter public nuisance and unlawful arrests in legal transport of substance.

Current Federal Law

Federal Marijuana Law - The federal government regulates drugs through the Controlled Substances Act (CSA) (21 U.S.C. § 811), which does not recognize the difference between medical and recreational use of marijuana. These laws are generally applied only against persons who possess, cultivate, or distribute large quantities of marijuana. The 2011-2012 session of Congress marks a new era in marijuana policy at the federal level. For the first time, a bill to end federal marijuana prohibition has been introduced. This is just one of a number of marijuana-related bills pending in the 112th Congress.

Current State Law

MICHIGAN MEDICAL MARIHUANA ACT (Initiated Law 1 of 2008) AN INITIATION of Legislation to allow under state law the medical use of marihuana; to provide protections for the medical use of marihuana; to provide for a system of registry identification cards for qualifying patients and primary caregivers; to impose a fee for registry application and renewal; to provide for the promulgation of rules; to provide for the administration of this act; to provide for enforcement of this act; to provide for affirmative defenses; and to provide for penalties for violations of this act. This law is very ambiguous and needs to be more defined.

Problem

A major concern is with how the ambiguous medical marijuana law is written and enforced, currently. The MMA Law needs clarification, especially, regarding the safety of both the public and Law Enforcement officials. Our mission is to get Medical Marijuana off the streets and out of the hands of our highly impressionable youth and deviants in society.

Proposed Solution

The American Medicinal Marihuana Association, AMMA, proposes professional Zoned Medical Facilities for Patients to obtain Medical Marihuana and from a Caregiver Network, which helps Transfer Overages inside an Enclosed, Locked Facility and Not in the customary Parking Lot / Trunk Transfer, which is Public Use. The benefit to Law Enforcement, Public Safety, Patients and Caregivers is a professionally structured in descript and discreet establishment for "Licensed Members Only" in Zoned Medical Facilities, which Do Not Post any Signs, Banners or make any reference to Medical Marihuana on the Exterior Structure or Advertise the Sale of Medical Marihuana in any Public Newspaper, or Magazine Forum. The primary mission of the AMMA is to get Medical Marijuana, Off the Streets and into discretionary professional, "Zoned Medical Facilities" for Safe and Secure Transfer of Marihuana Medication inside an Enclosed Locked Facility, available to State Licensed Members Only. AMMA Member Policy is to Transport Medication in the Trunk of the Vehicle or other Safe place where it is not readily available, accessible or used, by any occupants within the Vehicle.

The main concern of the AMMA is Public Safety and the Safety of Law Enforcement Personnel. The Michigan Medical Marihuana Act (MMA) has, in and of itself, promoted the Free for All, "The Parking Lot / Trunk Transfer in Public Places" in the Patient / Caregiver relationship. Because of the ambiguity within the Act, Caregivers operate this new business endeavor with limited resources and often have to resort to questionable actions to recover their substantial Investment in Grow Equipment per Patient and partake in the typical old standard of Street Vending to recoup their substantial investment at between \$4000.00 and \$5,000.00 to Grow 12 Plants, professionally and of sufficient quality. Michigan's poor economic climate has severely affected most Medical Marihuana Patients pocket books and they cannot afford the quadrupled cost of quality, seedless Medical Marihuana over regular seeded Street Marijuana. Zoned Medical Facilities will assist in getting Medical Marihuana, Off the Streets. The Public Nuisance Issue is a Safety concern to Law Enforcement and the AMMA. Public Street Sales would decrease with a Clear Cut Law, Limiting Medical Marihuana Distribution to Zoned Medical Facilities. However, discretion concerning Business Signage and Advertising which directly promotes the whereabouts of Medical Marihuana Dispensaries whereby Unlicensed Marihuana Users and our Teenage Society hang out at these Facilities as they do at Liquor Stores, to obtain Alcohol from unscrupulous non-caring Legal Aged Adults for profit. Limiting Parking Lot / Trunk Transfers will significantly Limit Law Enforcement intervention with all the complexities of the illicit illegal acts of Muggings, Car Jackings and Murders of unsuspecting and unwitting Lure to Danger, of our young people.

Effective/Operative Date of Solution

Immediate - The AMMA has potential Legal Members that are ready to open Zoned Medical Facilities with a proven prototype in all the Major Trading areas in Michigan with special attention to Surveillance and Controlling their Parking Lots. The AMMA has issued Member Policy with regard to immediate Termination of Membership for committing the Parking Lot / Trunk Transfer to Non Licensed Procurers of Medical Marihuana. Teenagers do not hang out at the Doctor's Office. Gas Stations and Convenience Store Parking Lots are reminiscent of illegal Drug Dealings.

Justification

The AMMA has addressed the Public Nuisance problem from all 16 Medical Marihuana States. Zoned Medical Facilities will get Medical Marihuana Off the Streets and will provide a professional, safe and secure environment with judicious regard for Public Safety. The Public Patient / Caregiver relationship promotes illegal Public Use with Parking Lot / Trunk Transfers. Caregivers, because of their substantial Indoor Grow Facility Investment cannot and/or will not invest in a professional Medical Office for proper distribution of medication. Dispensaries have become the norm in most all Medical Marihuana States because of the many illegal problems associated with this type of unsupervised and unregulated relationship. Zoned Medical Facilities will provide the necessary safety and security for Caregivers and their families. Allowing Patients knowledge and access to their Grow Facility has created more violence and crime in a Public setting and brought Medical Marihuana into the Streets. Dispensaries have become the Norm in most all Medical Marihuana States, because the Public dealing with the Public has promoted more Crime for Law Enforcement to contend with, and place them directly in Harm's way apprehending Predators of an illicit illegal Act of Theft, Car Jackings and Murder to obtain Marihuana. Zoned Medical Facilities will also provide the Safety and Security for Patients in a Private HIPAA Compliant Zoned Medical Facility. The AMMA has implemented a One on One relationship with a Medical Therapist, rather than the Open Candy Store Environment whereby everyone witnesses everybody else's personal business and money transfers. Zoned Medical Facilities is the only professional, prudent and safe way to dispense Medical Marihuana, in the Great State of Michigan.

Implementation

To enact a Public Law for Compassion Centers / Dispensaries located in Zoned Medical Facilities with specific Regulation and Guidelines of Operations with regard for Discreet Privacy with No Public Advertising, of Sales of Medical Marihuana. Paid Membership would be required, including a Safety Net of two I.D. Checks to ensure only properly Licensed, Legal Registry Identification Card Holders can Join Membership with a thorough Check on the positive identification and Licensure of each Member. By allowing Members-Only Zoned Medical Facilities, Members would be personally identified which would dramatically limit Robberies of these Establishments because of the Personal and Medical Information of each participating Member of that Medical Office. In addition, Police Intervention would be severely limited as a result of Zoned Medical Facilities. Our current Michigan system put Law Enforcement, directly in Harm's Way apprehending Predators of illegal illicit Acts stemming from the Public doing business with the Public. A proper Enclosed Locked Facility is required for the Safety and Security of the general Public and Law Enforcement with specific Guidelines and Regulation of Business operations is essential to discourage violence and crime in our Street.

Department Costs: Departmental Costs should be the burden of participating Zoned Medical Facilities, Patients and Caregivers to defray and decrease any further expenditure's by the State of Michigan - in our hour of peril and hardship with our declining economy. All Members should be registered with the State Licensing and Regulatory Department as is the current requirement. A Special Use Tax could be implemented and included in Membership and passed on to the State, to properly Finance the Administration of this type of simple Data Base. Validity of Licensure is all that is required by Law Enforcement without Private Medical information. The Data Base is in existence. State expenditures should be accountable and financed by the End User. Patients, Caregivers and Zoned Medical Facilities should share in the burden of adopting special privileges, within the State. Current State Medical Marihuana Administration Expenditure Information is required to properly prepare a Feasibility Study to determine not only direct Administration Costs, but the Increase in Revenue to the State from New Residents from many other bordering States, such as Ohio, Indiana and Illinois, which do not have a Medical Marihuana Law, at present. Not since our great Henry Ford created the \$5.00 Work Week salary, do we have such an opportunity and a regenerating Natural Resource with many other substantial Uses. Bio Fuels, Clothing, Fabric and Polymers can be stronger and cheaper than Imported Petrol products. The Money is literally growing on Trees as a Natural Resource. *We the People* have put our Names and reputations in our Majority Rule Constitutional Vote. Michigan needs Jobs and Michigan has a new Natural Resource. The People will use one way or the other, it is only a benefit in Tax Revenue for the State of Michigan, to adopt the Zoned Medical Facility implementation.

Tax Revenue Estimate: Multi-Millions of Tax Revenue Dollars for Michigan and an increase in an Open but Regulated Market could mean financial security for State Employees, additional State Jobs/Training, repair roads, valued infrastructure changes, and/or many other present and future requirements, of the State of Michigan.

Other States

Fifteen other States have implemented Medical Marihuana Laws and Dispensaries with definite and substantial increases in Tax Revenue contributing to the Infrastructures, Public Safety and the Financial Security of these States. A Feasibility Study and implementation of Zoned Medical Facilities indicate that Safe Transfer Stations are, indisputably, a Safer Environment, not only for the unsuspecting Public but also for Law Enforcement as well. Eliminating the Public Nuisance Issue is the greatest Public Safety concern, in all States. Michigan can Go Green, safely, professionally and Get Marihuana Off the Streets and onto our Tax Base.

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